

News Release

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Critical Habitat Proposed for Alabama Beach Mouse

(Daphne, Ala.) – The U.S. Fish and Wildlife Service published today a proposed rule to redesignate approximately 1,298 acres of critical habitat for the federally endangered Alabama beach mouse. The rule proposes a revision to critical habitat that was originally designated when the species was listed in 1985 and consisted mainly of primary and secondary dunes.

Areas proposed for critical habitat in this revision include: portions of the Fort Morgan State Historic Site and adjacent lands; lands along the right-of-way of Fort Morgan Parkway (State Highway 180); lands south of the Alabama Department of Environmental Management's (ADEM's) Coastal Construction Control Line (CCCL); high elevation habitat in the Gulf Highlands area (also known as the multifamily area); and portions of Gulf State Park. The proposed revision encompasses approximately 1,298 acres, including much of the original designation and higher elevation scrub habitat that we now know is important for the mouse during and after hurricane events. The Service is proposing to exclude the Perdue Unit of the Bon Secour National Wildlife Refuge, as well as 56 areas that are covered by incidental take permits under the Endangered Species Act (ESA) because of their existing conservation plans.

Public comments on the proposed rule will be accepted until April 3, 2006. Public hearings on this proposal will be held if requested, in writing, by March 20, 2006. (15 days before end of comment period) Written comments and information on the ABM proposal should be mailed, faxed, or delivered in person to U.S. Fish and Wildlife Service, Attn: Acting Field Supervisor, 1208-B Main Street, Daphne, AL 36526; Fax: 251-441-6222; or sent by electronic mail to: abmcriticalhabitat@fws.gov.

Critical habitat is a term in the ESA. It identifies geographic areas that contain features essential to the conservation of a threatened or endangered species and which may require special management considerations or protection. A critical habitat designation does not set up a preserve or refuge and only applies to Federal land or situations where Federal funding or a Federal permit is involved. It does not allow government or public access to private lands. Federal agencies that undertake, fund or permit activities that may affect critical habitat are required to consult with the Service to ensure such actions do not adversely modify or destroy designated critical habitat.

As a listed species under the Endangered Species Act, the Alabama beach mouse is already protected wherever it occurs, and Federal agencies are required to consult on any action taken that might affect the species. The designation of critical habitat will help the species by ensuring that Federal agencies and the

public are aware of the mouse's habitat needs and that proper consultation is conducted by Federal agencies when required by law.

As part of designating critical habitat, the Service also takes into account the economic impact, as well as any other relevant issues, of specifying any particular area as critical habitat. The Service may exclude any area from critical habitat if it is determined that the benefits of excluding it outweigh the benefits of specifying the area as part of critical habitat, unless it is determined that the failure to designate the area as critical habitat will result in the extinction of the species. The Service will publish an announcement in the *Federal Register* to notify the public when the draft economic analysis of the costs of designating critical habitat is available for review and comment.

This proposed rule was prepared pursuant to a court order resulting from a lawsuit filed against the Service by the Sierra Club and the Center for Biological Diversity. In a December 2004, declaration filed with the U.S. District Court for the Southern District of Alabama regarding the complaint, we stated that we would submit a proposed rule revising ABM critical habitat to the *Federal Register* by January 18, 2006, and a final rule by January 15, 2007.

In 30 years of implementing the Endangered Species Act, the Service has found that the designation of critical habitat provides little additional protection to most listed species, while preventing the Service from using scarce conservation resources for activities with greater conservation benefits.

In almost all cases, recovery of listed species will come through voluntary cooperative partnerships, not regulatory measures such as critical habitat. Habitat is also protected through cooperative measures under the Endangered Species Act including Habitat Conservation Plans, Safe Harbor Agreements, Candidate Conservation Agreements and state programs. In addition, voluntary partnership programs such as the Service's Private Stewardship Grants and Partners for Fish and Wildlife program also restore habitat. Habitat for endangered species is provided on many national wildlife refuges, managed by the U.S. Fish and Wildlife Service and state wildlife management areas.

A complete description of the proposed revision to critical habitat has been published in the *Federal Register* today. Copies of the proposal and maps are available on the Service Internet site at: <http://www.fws.gov/daphne>, or by contacting Rob Tawes, U.S. Fish and Wildlife Service, 1208-B Main Street, Daphne, AL 36526; phone: 251-441-5181.

The U.S. Fish and Wildlife Service is the principal Federal agency responsible for conserving, protecting and enhancing fish, wildlife and plants and their habitats for the continuing benefit of the American people. The Service manages the 95-million-acre National Wildlife Refuge System, which encompasses 545 national wildlife refuges, thousands of small wetlands and other special management areas. It also operates 69 national fish hatcheries, 63 Fish and Wildlife Management offices and 81 ecological services field stations. The agency enforces federal wildlife laws, administers the Endangered Species Act, manages migratory bird populations, restores nationally significant fisheries, conserves and restores wildlife habitat such as wetlands, and helps foreign governments with their conservation efforts. It also oversees the Federal Assistance program, which distributes hundreds of millions of dollars in excise taxes on fishing and hunting equipment to state fish and wildlife agencies.